

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-cv-00164-MR**

MARLON BARTLETT,)
)
Plaintiff,)
)
vs.)
)
FNU MILLER, et al.,)
)
Defendants.)
)

)

ORDER

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Marlon Bartlett (“Plaintiff”) filed this action on August 22, 2022, against Defendants FNU Miller, William Wise, and Dexter Gibbs, pursuant to 42 U.S.C. § 1983. [Doc. 1]. Plaintiff is proceeding in forma pauperis. [Docs. 2, 7]. The Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 9]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from October 4, 2022, to amend his Complaint in accordance with the terms of the Court’s Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to

Plaintiff. [Id. at 8].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: November 14, 2022



Martin Reidinger
Chief United States District Judge

